



# RainbowYOUTH

*Know who you are, be who you are.*

*Whaia to ake ngakaunui. i te pono, i te marama.*

RainbowYOUTH's CCTV Use Policy

Last updated March 2017

*Note: This policy has been informed by 'Privacy and CCTV - a guide to the Privacy Act for businesses, agencies and organisations' published by Privacy Commissioner Te Mana Matapono Matapu*

*(<https://www.privacy.org.nz/assets/Files/Brochures-and-pamphlets-and-pubs/Privacy-and-CCTV-A-guide-October-2009.pdf>)*

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## 1. Outcomes and Purpose of RainbowYOUTH Using CCTV

### 1.1. RainbowYOUTH's purpose for using CCTV:

To help ensure the safety of staff, volunteers and service users by detecting and capturing evidence of crime such as violence, theft, use of illegal substances, public indecency or to actively deter such crimes from occurring in RainbowYOUTH's public drop-in centre.

### 1.2. Expected outcomes of using CCTV

- Contributing to RainbowYOUTH's overall movement for a Health and Safety organisational culture
- Deterring any potential crime that may occur at the drop-in centre (see 1.1)
- Providing evidence if a crime (such as listed above in 1.1) occurs at the RainbowYOUTH drop-in centre

## 2. Technology and Monitoring

### 2.1. Type of Technology and Equipment Used

RainbowYOUTH's CCTV will comprise of:

- Two security cameras set up inside the drop-in centre on 11 Edinburgh Street.
  - **Camera one:** Located in the entrance foyer between the drop-in centre and the office. This camera will have a field of vision (FOV) of the foyer and the 11 Edinburgh St entrance of the RainbowYOUTH Centre. The resolution of this camera is 720p.
  - **Camera two:** Located in the drop-in centre, with a FOV of the drop-in centre and the entrance beside 10 Abbey Street. The resolution of this camera is 720p.
- RainbowYOUTH's CCTV system is motion activated, as the use of the drop-in centre is often sporadic outside of work hours (weekdays 11am - 5pm)
- Any additional cameras or equipment must be recorded in an update of this policy
- All cameras must be positioned in such a way that they will not intrude to an unreasonable extent on the privacy of individuals (i.e. bathrooms)

### 2.2. Monitoring Process and Access



The CCTV will be operated by senior staff at RainbowYOUTH who have:

- Signed confidentiality forms
- Have authorized access to view and monitor the CCTV footage at the discretion of the Executive Director
- Have a secure login to the stored footage on their mobile devices and/or work computers, with a required password change every three months.

## 3. Security, Privacy, Usage and Disclosure of Footage

### 3.1. Storage of Footage

Footage from both cameras will be stored on an external hard drive, secured in a locked cupboard. This cupboard is only accessible to authorised senior staff members and the landlord of the property. Occasionally, external maintenance workers may only be granted access under the supervision of an authorized senior staff member of RainbowYOUTH.

### 3.2. Deletion of Footage

Footage recorded by the CCTV cameras will be automatically deleted by the security system after 3 months of storage.

### 3.3. Use and Disclosure of Footage

#### 3.3.1. Circumstances of Use or Disclosure of Footage

Footage collected by the CCTV cameras will only be used for the purposes named in section 1.1 or if:

- the use or disclosure of footage is necessary for court or tribunal proceedings
- the use or disclosure is necessary to enable RainbowYOUTH or a public sector agency (like the NZ Police) to uphold the law. This includes enabling them to prevent, detect, investigate, prosecute and punish offenses
- the use or disclosure is necessary to prevent or lessen a serious or imminent threat to public health and safety or the life and health of an individual
- the individual(s) identified in the footage have provided written consent to RainbowYOUTH to the use or disclosure of the footage

#### 3.3.2. Decision on Use or Disclosure of Footage

Decision to disclose or use footage collected by RainbowYOUTH's CCTV cameras will be made on a case-by-case basis by authorised senior staff members, or if the NZ Police have issued a



warrant to RainbowYOUTH for CCTV footage or there is a law requiring RainbowYOUTH to disclose the footage.

### *3.3.3. Process of Decision to Use / Disclose the Footage*

The NZ Police, public sector agencies or individuals may request RainbowYOUTH disclose footage by filling in a 'RainbowYOUTH CCTV Footage Disclosure Request' form. The form will be available by request. The form must record:

- Description of the event the NZ Police / public sector agency / Individual is interested in
- Location where they think the event took place
- Approximate time and date of the event
- Specific offense being investigated (*if applicable*)
- Name, Organisation, Phone Number and Email address of the person submitting the request
- Date of request
- Date RainbowYOUTH received the request
- Decision and Date of Decision

The form will then be submitted to senior staff for consideration. Requests **must be responded to in writing within 20 working days**.

All requests (regardless of their outcome), should be logged and made readily available to senior staff and reported at the next RainbowYOUTH Executive Board meeting.

### *3.3.4. Individuals Requesting Images of Themselves*

Individuals may request to see images or footage of themselves recorded by RainbowYOUTH CCTV. Individuals may request to see these images or footage using the 'RainbowYOUTH CCTV Footage Disclosure Request' form.

RainbowYOUTH reserves the right to refuse such requests if:

- 1) The information is not readily retrievable (i.e.: the individual does not specify a reasonable time or location that they want to view)
- 2) The footage is being used by the NZ Police to investigate a crime (in this situation, RainbowYOUTH must defer to NZ Police to access and grant access to the footage by the individual)

To protect the privacy of others shown in the footage requested by an individual, RainbowYOUTH may grant access to footage **only after they have sighted certified photographic identification of the individual requesting the footage (i.e. a NZ Drivers License or Passport)**, and if they can make a positive identification of the individual in the footage against the photographic identification provided by the individual.

RainbowYOUTH staff may grant an individual access to footage of themselves if:



- 1) A 'RainbowYOUTH CCTV Footage Disclosure Request' form has been completed
- 2) The footage is readily retrievable and is not being used by the NZ Police to solve a crime
- 3) That the individual is able to be positively identified in the footage by the use of photographic identification

Footage collected by RainbowYOUTH CCTV cameras may only be distributed by staff to individuals in two ways:

- 1) Via a written description of what they are doing in the footage (*this is the preferred method of distributing the footage, as it is the least likely to breach the privacy of anyone else involved*)
- 2) By organising a time when the individual can visit the RainbowYOUTH drop-in centre to view the requested footage

At no time will RainbowYOUTH distribute copies of RainbowYOUTH CCTV footage to individuals.

### 3.3.5. Breaches of Privacy

Deliberate misuse of information collected by RainbowYOUTH CCTV cameras is considered Serious Misconduct by RainbowYOUTH, and is grounds for instant dismissal as a staff member under employment contracts. Examples of actions considered deliberate misuse are:

- Making and distributing copies of information to anyone who is not the NZ Police or other public sector organisations
- Granting access to the information collected by RainbowYOUTH CCTV to an unauthorised staff member or volunteer of RainbowYOUTH
- Deliberately erasing footage prior to its 3 month retention period

## 4. Transparency

RainbowYOUTH must be **transparent** about its use of CCTV footage. This includes:

- Including information related to the CCTV cameras in all inductions of staff, volunteers, facilitators, student interns and regular external groups that use the drop-in centre into the organisation
- Updating all staff, volunteers, facilitators, student interns and regular external groups that use the drop-in centre **in writing** about any changes to CCTV monitoring technology (i.e. the addition of any cameras)
- Having legible and clear signage in the RainbowYOUTH drop-in centre that states:
  - The reason for having security cameras
  - Length of time storage is stored
  - Who has access to the footage
  - An option to 'opt out' of being recorded
  - Advisal of where to inquire about further information



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RainbowYOUTH **must** make available to it's members, service users, staff, volunteers, facilitators, student interns and regular external groups that use the drop-in centre a copy of its CCTV policy by:

- Listing it on it's website
- Having physical copies available at the drop-in centre
- Granting access to the document online